

- (1) Fishing boats including those used for shell-fishing;
- (2) Tugs which operate only locally in specific harbors and adjacent waters;
- (3) Barges without means of self-propulsion;
- (4) Construction-equipment boats and dredges; and
- (5) Sand and gravel dredging and handling boats.
- (q) *Watering point*. The specific place or water boat from which potable water is loaded on a conveyance.
- (r) *Shellfish*. Any fresh, frozen, or incompletely cooked oysters, clams, or mussels, either shucked or in the shell, and any fresh, frozen, or incompletely cooked edible products thereof.
- (s) *Certification number* means a unique combination of letters and numbers assigned by a shellfish control authority to a molluscan shellfish processor.
- (t) *Shellfish control authority* means a Federal, State, or foreign agency, or sovereign tribal government, legally responsible for the administration of a program that includes activities such as classification of molluscan shellfish growing areas, enforcement of molluscan shellfish harvesting controls, and certification of molluscan shellfish processors.
- (u) *Tag* means a record of harvesting information attached to a container of shellstock by the harvester or processor.

[40 FR 5620, Feb. 6, 1975, as amended at 48 FR 11431, Mar. 18, 1983; 57 FR 57344, Dec. 4, 1992; 60 FR 65201, Dec. 18, 1995]

EFFECTIVE DATE NOTE: At 60 FR 65201, Dec. 18, 1995, § 1240.3 was amended by revising paragraph (r) and by adding new paragraphs (s), (t), and (u), effective December 18, 1997. For the convenience of the reader, the revised text is set forth below.

§ 1240.3 General definitions.

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- (r) *Molluscan shellfish*. Any edible species of fresh or frozen oysters, clams, mussels, and scallops or edible portions thereof, except when the product consists entirely of the shucked adductor muscle.

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§ 1240.10 Effective bactericidal treatment.

Whenever, under the provisions of this part, bactericidal treatment is required, it shall be accomplished by one or more of the following methods:

- (a) By immersion of the utensil or equipment for at least 2 minutes in clean hot water at a temperature of at least 170° F or for one-half minute in boiling water;
- (b) By immersion of the utensil or equipment for at least 2 minutes in a lukewarm chlorine bath containing at least 50 ppm of available chlorine if hypochlorites are used or a concentration of equal bactericidal strength if chloramines are used;
- (c) By exposure of the utensil or equipment in a steam cabinet at a temperature of at least 170° F for at least 15 minutes or at a temperature of 200° F for at least 5 minutes;
- (d) By exposure of the utensil or equipment in an oven or hot air cabinet at a temperature of at least 180° F for at least 20 minutes;
- (e) In the case of utensils or equipment so designed or installed as to make immersion or exposure impractical, the equipment may be treated for the prescribed periods of time either at the temperatures or with chlorine solutions as specified above, (1) with live steam from a hose if the steam can be confined, (2) with boiling rinse water, or (3) by spraying or swabbing with chlorine solution;
- (f) Any other method determined by the Commissioner of Food and Drugs, upon application of an owner or operator of a conveyance, to be effective to prevent the spread of communicable disease.

[40 FR 5620, Feb. 6, 1975, as amended at 54 FR 24900, June 12, 1989]

Subpart B—Administrative Procedures

§ 1240.20 Issuance and posting of certificates following inspections.

The Commissioner of Food and Drugs may issue certificates based upon inspections provided for in this part and